

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Anthony De Forrest Tyree

Docket No. 5:18-CR-172-1H

Petition for Action on Supervised Release

COMES NOW Jessica A. Brocz, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Anthony De Forrest Tyree, who, upon an earlier plea of guilty to Distribution of a Quantity of Heroin, in violation of 21 U.S.C. § 841(a)(1), 21 U.S.C. § 841(b)(1)(C), and 21 U.S.C. § 851, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on April 9, 2019, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 72 months. Anthony De Forrest Tyree was released from custody on October 16, 2020, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 28, 2020, the defendant was charged in Nash County, North Carolina, with Driving While Impaired (20CR53696), Driving While License Revoked, and Drive Wrong Way on Dual Lane (20CR708657). According to a report from Officer B. Yates, the defendant's breathalyzer revealed a 0.09. During a telephone call on December 2, 2020, Tyree admitted guilt. This case remains pending in Nash County District Court.

During a routine home visit December 5, 2020, the defendant tested positive for marijuana via instant urine screen. Tyree readily admitted using the substance, and he signed an admission of drug use form. The defendant has been verbally reprimanded for this drug use and counseled about his actions. The defendant has agreed to attend a substance abuse assessment and the amount of drug testing will be increased. As a sanction for this criminal conduct and drug use, we are recommending that he be placed on curfew with location monitoring for 60 consecutive days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect

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Reviewed and approved,

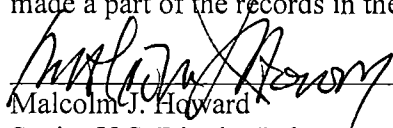
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Jessica A. Brocz
Jessica A. Brocz
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2350
Executed On: December 7, 2020

ORDER OF THE COURT

Considered and ordered this 8th day of Dec, 2020, and ordered filed and
made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge